

REMARKS

Claims 1-22 and 25-28 are pending in this application with claims 25-28 being withdrawn from consideration. By this Amendment, claim 1 is amended and claims 23 and 24 are cancelled. Claim 1 is amended to address the teachings of the cited references.

No new matter is added to the application by this Amendment. Support for the amendment to claim 1 may be found in claims 23 and 24, as originally filed.

Reconsideration of the application is respectfully requested.

I. Restriction Requirement

It is respectfully submitted that the subject matter of all claims 25-28 is sufficiently related that a thorough search for the subject matter of any one of claims 1-22 would encompass a search for the subject matter of the remaining claims. Thus, it is respectfully submitted that the search and examination of the entire application could be made without serious burden. See MPEP §803 in which it is stated that "if the search and examination of an entire application can be made without serious burden, the examiner must examine it on the merits, even though it includes claims to independent or distinct inventions" (emphasis added). It is respectfully submitted that this policy should apply in the present application in order to avoid unnecessary delay and expense to Applicant and duplicative examination by the Patent Office.

Thus, withdrawal of the Restriction Requirement is respectfully requested.

II. Rejection under 35 U.S.C. §103

A. Olson et al.

Claims 1 and 23 were rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over U.S. Patent No. 6,472,027 to Olson et al. This rejection is respectfully traversed.

First, Applicant points out that claim 24 was not rejected relying upon Olson et al., and that claim 24 has been incorporated into claim 1. The rejection should thus be overcome.

Second, the Patent Office alleges that Olson et al. teaches a stripping composition that may include benzyl acetate and be devoid of water. Applicant disagrees with these allegations.

The Patent Office's allegations rely upon two different types of stripping compositions taught by Olson et al. A first stripping composition in Olson et al. includes a polar solvent, such as benzyl acetate, to form a hazy or cloudy single-phase solution when mixed at the intended use dilution with any desired diluents, for example water (see col. 3, lines 46-58 of Olson et al.). Thus, Olson et al. fails to teach that this first stripping composition having benzyl acetate is in substantial absence of water.

A different, second stripping composition described in Olson et al. and cited by the Patent Office contains a blend of primary solvents and one or more ether alcohol solvent couplers, and may be in the substantial absence of water (see col. 4, lines 56-60 of Olson et al.). The second stripping composition includes primary solvents, such as phenyl ethers and solvent/couplers such as alkylene glycol alkyl ethers, but does not include benzyl acetate (see col. 5, lines 18-28 of Olson et al.) as required in claim 1. Thus, Olson et al. fails to teach that this second stripping composition includes benzyl acetate as required in claim 1.

Thus, nowhere does Olson et al. teach or suggest a stripping composition comprising, as active ingredient, at least benzyl acetate, wherein the stripping composition is devoid of water, and wherein the stripping composition is in the form of a gel or of a cream as recited in amended claim 1.

Because Olson et al. fails to teach or suggest each and every feature as claimed, the claims patentably define over Olson et al. Accordingly, reconsideration and withdrawal of the rejection of the claims relying upon Olson et al. are respectfully requested.

B. Takayanagi et al.

Claims 1-6 and 17 were rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over U.S. Patent No. 5,612,303 to Takayanagi et al. This rejection is respectfully traversed.

The features of cancelled claims 23 and 24 are incorporated into amended claim 1. Takayanagi et al. admittedly does not teach or suggest that a stripping composition is devoid of water and is in the form of a gel or of a cream because canceled claims 23 and 24 were not rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over Takayanagi et al. Accordingly, nowhere does Takayanagi et al. teach or suggest a stripping composition that is devoid of water and is in the form of a gel or of a cream as recited in amended claim 1.

For the foregoing reasons, reconsideration and withdrawal of the rejection of the claims under 35 U.S.C. §103(a) relying upon Takayanagi et al. are respectfully requested.

C. Lallier et al. in view of Olson et al. or Takayanagi et al.

Claims 1-22 and 24 were rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over U.S. Patent No. 6,656,896 to Lallier et al. in view of Olson et al. or Takayanagi et al. This rejection is respectfully traversed.

The features of cancelled claim 23 are incorporated into amended claim 1. Lallier et al., Olson et al. and Takayanagi et al., taken singly or in combination, admittedly do not teach or suggest that a stripping composition is devoid of water because claim 23, now incorporated into claim 1, was not rejected under 35 U.S.C. §103(a) relying upon Lallier et al., Olson et al. and Takayanagi et al. Accordingly, none of Lallier et al., Olson et al. and Takayanagi et al. teach or suggest a stripping composition that is devoid of water as recited in amended claim 1. Olson et al. clearly does not teach or suggest such a stripping composition as detailed above.

Thus, none of Lallier et al., Olson et al. and Takayanagi et al., taken singly or in combination, teach or suggest each and every feature as claimed. Accordingly, reconsideration and withdrawal of this rejection of the claims under 35 U.S.C. §103(a) are respectfully requested.

III. Rejoinder

Upon allowance of claim 1, Applicant respectfully requests that claim 25 (and claims 26-28 dependent therefrom) be rejoined with the application and similarly allowed.

IV. Conclusion

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of claims 1-22 and 25-28 are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



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